

COUNTY NOTICES OF PROPOSED RULEMAKING
Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

1. Summary of the proposed rules and rule changes, any of which may be adopted in whole or in part:

A. Initial adoption, repeal or ratification of each of those Code changes considered, or to be considered, by the Board of Supervisors on May 27, 1997. See 17 A.A.R. 962, April 24, 1998, for a description of the possible changes considered on that date.

B. Revision of Code § 1-1-105, constituting a policy declaration of those other provisions of the Code that should constitute elements of the State Implementation Plan.

C. Revision of Code § 1-1-107, constituting a policy declaration of those other provisions of the Code that should constitute elements of the County's Title V permit program.

D. Adoption-by-reference of the July 1, 1997, versions of the appendices to several of the EPA's air quality regulations. See Code § 1-2-110.5 for a schedule of the affected appendices. This action reflects ADEQ's revisions to A.A.C. Chapter 18, Appendix 2. See 52 A.A.R. 3600, December 26, 1997.

2. A demonstration of the grounds and evidence of compliance with A.R.S. § 49-112(A) or (B):

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

A. Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable.

B. Based on a review of the operating costs of the Pinal County Air Quality Control District, and any reasonable projection of total of revenues resulting from the fees and other charges that would be assessed under any or all of the rule revisions proposed above, the Control Officer finds that there is no real risk that revenues will exceed the cost of program administration. The continuing fee-cap, defined by ADEQ's fee rates, continues to implicitly assure the reasonableness of the County's fees. Thus, implementation of any or all of the rule changes proposed above will still not violate the fee limitations of either A.R.S. §§ 49-112(A)(3) or 49-112(B).

C. To the extent the changes outlined above constitute rule changes, all consist of revisions to conform existing County rules to ADEQ's parallel rules. As such, all of those changes inherently avoid triggering the A.R.S. § 49-112(A) requirement for a demonstration as a precedent to adoption of more stringent or functionally additional rules.

3. Name and address of the person to whom persons may address questions or comments:

Name: Donald P. Gabrielson, Director
Address: Pinal County Air Quality Control District
P.O. Box 987
Florence, Arizona 85232
Telephone: (520) 868-6760
Fax: (520) 868-6754

4. Where persons may obtain a full copy of the proposed rule or existing rules:

Name: Pinal County Air Quality Control District
Address: P.O. Box 987
Florence, Arizona 85232
574 South Central
Florence, Arizona
Telephone: (520) 868-6760
Fax: (520) 868-6754

Note: The District has the proposed revisions, as well as supporting materials, available in hard-copy or on disk.

5. Date, time, and location of scheduled public workshops and hearings:

Public Hearing

Date: June 24, 1998
Time: 2 p.m.
Location: Board of Supervisor's Hearing Room
Administration Building No. 1.
31 North Pinal Avenue
Florence, Arizona

County Notices Pursuant to A.R.S. §§ 49-112(A) or 49-112(B)

Nature of meeting: Public hearing as an element of the regular meeting of the Pinal County Board of Supervisors, to consider formal adoption of some, all, or none of the proposed revisions.